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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

1 ROBERT and MYRNA DANGANAN,
2 husband and wife,

3 Plaintiffs,

4 vs.

5 AMERICAN FAMILY MUTUAL
6 INSURANCE COMPANY, a Wisconsin
7 corporation,

8 Defendant.

9 Case No. 2:17-CV-02786-RFB-PAL

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**AMENDED STIPULATION TO
EXTEND DISCOVERY PLAN AND
AMEND SCHEDULING ORDER**

(Second Request)

1 Plaintiffs, Robert and Myrna Danganan, by and through their attorney, and Defendant,
2 American Family Mutual Insurance Company, by and through its attorney (hereinafter
3 collectively referred to as "the Parties") hereby respectfully submit their Amended Stipulation
4 and Order to Extend Discovery Deadlines (Second Request) (amendment to Docket #30 to
5 include extension for Joint Pre-Trial Order) pursuant to Rules 6(b) and 26(f) of the Federal
6 Rules of Civil Procedure and Local Rules 6-1 and 26-4. The proposed extended discovery
7 deadlines contemplate sixty (60) days to complete pending discovery.

8 This stipulation is brought pursuant to LR26-4, which provides that a request made within
9 21 days of the discovery cut-off date, which is currently set for July 11, 2018, must be supported
10 by a showing of good cause. Good cause exists to support this request. Specifically, Plaintiffs
11 need additional time to depose pertinent witnesses, namely the designated Rule 30(b)(6)
12 corporate representative(s) of American Family Mutual Insurance Company.

1 Plaintiffs have been diligent in their efforts to get this deposition set, but due to
 2 circumstances beyond their control, have not been able to do so. On April 24, 2018, Plaintiffs'
 3 counsel served counsel for American Family Mutual Insurance Company with the topics of
 4 inquiry and the Notice of Deposition setting it for May 10, 2018 at 10:00 a.m. The next day,
 5 defense counsel indicated that the May 10, 2018 date would not work and agreed to the initial
 6 month discovery extension. Plaintiff's counsel, on at least three occasions thereafter, requested
 7 that defense counsel provide alternative potential dates. On June 19, 2018, after receiving no
 8 response or alternative dates, Plaintiffs' counsel unilaterally noticed the deposition for July 10,
 9 2018, one day before the existing discovery deadline. Defense counsel, on June 21, 2018, again
 10 indicated that the date did not work and that he would obtain available dates in August from
 11 his client. The available dates in August were provided to Plaintiffs the next day. The Parties
 12 are have not yet confirmed a new deposition date, but are holding August 29, 30 and 31, 2018
 13 and hope to have the logistics finalized shortly.

14 The Parties request this Stipulation to extend discovery by sixty (60) days be approved by
 15 the Court in order to allow Plaintiffs to depose Defendant.

16 This is the Parties' second request for an extension of time, and the same is not interposed
 17 for purposes of delay, but for the sole purpose of allowing to Parties to diligently and adequately
 18 prepare their respective cases for either settlement discussions or trial.

19 **I. DISCOVERY COMPLETED**

Joint Status Report	November 30, 2017
Stipulated Discovery Plan and Scheduling Order	December 7, 2017
Plaintiffs FRCP 26.1 Disclosures	January 9, 2018
Defendants' FRCP 26.1 Disclosures	January 8, 2018
Defendants' Written Discovery Served	January 22, 2018
Plaintiffs' Responses to Defendant's Written Discovery	March 1, 2018
Plaintiffs FRCP 26.2 Expert Disclosures	March 12, 2018
Defendant FRCP 26.2 Expert Disclosures	March 12, 2018
Plaintiffs FRCP 26.2 First Supplemental Expert Disclosures	April 11, 2018

1 Deposition of Plaintiffs

June 4, 2018

2 **II. DISCOVERY THAT REMAINS TO BE COMPLETED**

3 The taking of the depositions of American Family's 30(b)(6) Representative.

4 **III. REASON WHY DISCOVERY HAS NOT BEEN COMPLETED**

5 The Parties have been diligent in conducting discovery but believe additional time is
6 necessary for Plaintiffs to depose the designated Rule 30(b)(6) corporate representative(s) of
7 American Family Mutual Insurance Company. As noted above, the first and only dates
8 provided to Plaintiffs were in August 2018.

9 **IV. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY**

DISCOVERY ACTION	CURRENT DATE	STIPULATED DATE
Discovery Cut-off	July 11, 2018	September 11, 2018
Dispositive Motions	August 8, 2018	October 8, 2018
Joint Pre-Trial Order	July 10, 2018	November 7, 2018

15 STIPULATED AND AGREED TO this 9th day of July, 2018.

17 **MERLIN LAW GROUP, P.A.**

HUTCHINSON & STEFFEN, LLC

19 By /s/ Kesha A. Hodge

20 Michael N. Poli / Kesha A. Hodge
403 Hill Street
21 Reno, Nevada 89501
22 Attorney for Plaintiffs

By /s/ Scott A. Flinders with permission

23 Scott A. Flinders
24 Peccole Professional Park
25 10080 West Alta Drive, Suite 200
26 Attorney for Defendant

27 IT IS SO ORDERED:

28 August 10, 2018

DATE


UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of July, 2018, I electronically transmitted the foregoing **AMENDED STIPULATION TO EXTEND DISCOVERY PLAN AND AMEND SCHEDULING ORDER (Second Request)** to the Clerk of the Court for the United States District Court, District of Nevada using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants and counsel of record:

Scott A. Flinders (sflinders@hutchlegal.com)

/s/ Gracie Dobratz
An Employee of Merlin Group, P.A.